

(d) The names, signatures, and titles of the persons for whom authorization to issue supplemental type certificates or experimental certificates, or amend airworthiness certificates, is requested; and

(e) A description of the applicant's facilities, and of the staff with which compliance with § 21.439(a)(4) is to be shown.

[Amdt. 21-6, 30 FR 11379, Sept. 8, 1965; 30 FR 11849, Sept. 16, 1965, as amended by Amdt. 21-67, 54 FR 39291, Sept. 25, 1989]

#### § 21.439 Eligibility.

(a) To be eligible for a DAS authorization, the applicant must—

(1) Hold a current domestic repair station certificate under Part 145, or air carrier or commercial operator operating certificate under Part 121;

(2) Be a manufacturer of a product for which it has alteration authority under § 43.3(i) of this subchapter;

(3) Have adequate maintenance facilities and personnel, in the United States, appropriate to the products that it may operate and maintain under its certificate; and

(4) Employ, or have available, a staff of engineering, flight test, and inspection personnel who can determine compliance with the applicable airworthiness requirements of this chapter.

(b) At least one member of the staff required by paragraph (a)(4) of this section must have all of the following qualifications:

(1) A thorough working knowledge of the applicable requirements of this chapter.

(2) A position, on the applicant's staff, with authority to establish alteration programs that ensure that altered products meet the applicable requirements of this chapter.

(3) At least one year of satisfactory experience in direct contact with the FAA (or its predecessor agency (CAA)) while processing engineering work for type certification or alteration projects.

(4) At least eight years of aeronautical engineering experience (which may include the one year required by paragraph (b)(3) of this section).

(5) The general technical knowledge and experience necessary to determine that altered products, of the types for

which a DAS authorization is requested, are in condition for safe operation.

#### § 21.441 Procedure manual.

(a) No DAS may exercise any authority under this subpart unless it submits, and obtains approval of, a procedure manual containing—

(1) The procedures for issuing STCs; and

(2) The names, signatures, and responsibilities of officials and of each staff member required by § 21.439(a)(4), identifying those persons who—

(i) Have authority to make changes in procedures that require a revision to the procedure manual; and

(ii) Are to conduct inspections (including conformity and compliance inspections) or approve inspection reports, prepare or approve data, plan or conduct tests, approve the results of tests, amend airworthiness certificates, issue experimental certificates, approve changes to operating limitations or Aircraft Flight Manuals, and sign supplemental type certificates.

(b) No DAS may continue to perform any DAS function affected by any change in facilities or staff necessary to continue to meet the requirements of § 21.439, or affected by any change in procedures from those approved under paragraph (a) of this section, unless that change is approved and entered in the manual. For this purpose, the manual shall contain a log-of-revisions page with space for the identification of each revised item, page, or date, and the signature of the person approving the change for the Administrator.

#### § 21.443 Duration.

(a) A DAS authorization is effective until it is surrendered or the Administrator suspends, revokes, or otherwise terminates it.

(b) The DAS shall return the authorization certificate to the Administrator when it is no longer effective.

#### § 21.445 Maintenance of eligibility.

The DAS shall continue to meet the requirements for issue of the authorization or shall notify the Administrator within 48 hours of any change (including a change of personnel) that

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could affect the ability of the DAS to meet those requirements.

### § 21.447 Transferability.

A DAS authorization is not transferable.

### § 21.449 Inspections.

Upon request, each DAS and each applicant shall let the Administrator inspect his facilities, products, and records.

### § 21.451 Limits of applicability.

(a) DAS authorizations apply only to products—

(1) Covered by the ratings of the repair station applicant;

(2) Covered by the operating certificate and maintenance manual of the air carrier or commercial operator applicant; and

(3) For which the manufacturer applicant has alteration authority under § 43.3(i) of this subchapter.

(b) DAS authorizations may be used for—

(1) The issue of supplemental type certificates;

(2) The issue of experimental certificates for aircraft that—

(i) Are altered by the DAS under a supplemental type certificate issued by the DAS; and

(ii) Require flight tests in order to show compliance with the applicable airworthiness requirements of this chapter; and

(3) The amendment of standard airworthiness certificates for aircraft altered under this subpart.

(c) DAS authorizations are subject to any additional limitations prescribed by the Administrator after inspection of the applicant's facilities or review of the staff qualifications.

(d) Notwithstanding any other provision of this subpart, a DAS may not issue a supplemental type certificate involving the exhaust emissions change requirements of part 34 or the acoustical change requirements of part 36 of this chapter until the Administrator finds that those requirements are met.

[Amdt. 21-6, 30 FR 11379, Sept. 8, 1965; 30 FR 11849, Sept. 16, 1965, as amended by Amdt. 21-42, 40 FR 1034, Jan. 6, 1975; Amdt. 21-68, 55 FR 32860, Aug. 10, 1990]

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### § 21.461 Equivalent safety provisions.

The DAS shall obtain the Administrator's concurrence on the application of all equivalent safety provisions applied under § 21.21.

### § 21.463 Supplemental type certificates.

(a) For each supplemental type certificate issued under this subpart, the DAS shall follow the procedure manual prescribed in § 21.441 and shall, before issuing the certificate—

(1) Submit to the Administrator a statement describing—

(i) The type design change;

(ii) The airworthiness requirements of this chapter (by part and effective date) that the DAS considers applicable; and

(iii) The proposed program for meeting the applicable airworthiness requirements;

(2) Find that each applicable airworthiness requirement is met; and

(3) Find that the type of product for which the STC is to be issued, as modified by the supplemental type design data upon which the STC is based, is of proper design for safe operation.

(b) Within 30 days after the date of issue of the STC, the DAS shall submit to the Administrator—

(1) Two copies of the STC;

(2) One copy of the design data approved by the DAS and referred to in the STC;

(3) One copy of each inspection and test report; and

(4) Two copies of each revision to the Aircraft Flight Manual or to the operating limitations, and any other information necessary for safe operation of the product.

### § 21.473 Airworthiness certificates other than experimental.

For each amendment made to a standard airworthiness certificate under this subpart, the DAS shall follow the procedure manual prescribed in § 21.441 and shall, before making that amendment—

(a) Complete each flight test necessary to meet the applicable airworthiness requirements of this chapter;